

Serial No. 10/551,468
Docket No. 2582LN.eh

7

AMENDMENTS TO THE DRAWINGS:

Submitted herewith are Replacement Drawing Sheets for Figures 1-6. Please replace the originally filed drawing sheets for Figures 1-6 with the Replacement Drawing Sheets.

Applicant notes that these Replacement Drawing Sheets are filed in order to address the Examiner's objection thereto.

No new matter has been added.

Serial No. 10/551,468
Docket No. 2582LN.eh

8

REMARKS

A Petition and Fee for One Month Extension of Time is submitted herewith.

Claims 1, 4-9, 11 and 19-20 and 22-28 are all the claims presently pending in the application. Claims 1, 4, 5, 19-20 and 22 have been amended to more particularly define the claimed invention. Claims 3 and 10 have been canceled. Claims 25-28 have been added.

It is noted that the claim amendments are made only for more particularly pointing out the invention, and not for distinguishing the invention over the prior art, narrowing the claims or for any statutory requirements of patentability. Further, Applicant specifically states that no amendment to any claim herein should be construed as a disclaimer of any interest in or right to an equivalent of any element or feature of the amended claim.

Claims 1 and 3-11 stand rejected under 35 USC 112, second paragraph as being allegedly indefinite. Applicant submits that claim 1 has been amended to address the Examiner's concerns. Therefore, these claims are clear and not indefinite, and the Examiner is respectfully requested to withdraw this rejection.

Claims 1 and 20 stand rejected under 35 U.S.C. § 102(b) as being allegedly anticipated by Shaw (U. S. Pat. No. 3,074,605).

Claims 3, 5 and 19 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Shaw in view of Smith. (U. S. Pat. No. 3,322,291).

Claims 4,6-8 and 22-24 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Shaw and Smith, and further in view of Magnusson et al. (U. S. Patent No. 3,664,531).

Claim 9 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Shaw in view of Roberts et al. (U. S. Pat. No. 6,231,711).

Claim 10 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Shaw and Smith, and further in view of Takahashi et al. (U. S. Pat. No. 4,946,528).

Claim 11 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Shaw in view of Takahashi.

These rejections are respectfully traversed in view of the following discussion.

I. THE CLAIMED INVENTION

An exemplary aspect of the claimed invention (e.g., as defined by claim 1) is directed

Serial No. 10/551,468
Docket No. 2582LN.eh

9

to an apparatus for laying a material sheet on a plurality of cylindrical bodies including first and second cylindrical bodies, including a unit for applying a material web to the cylindrical bodies, and a conveyor disposed to advance the cylindrical bodies in a longitudinal direction thereof, to, past and away from the unit, the conveyor including a first section including a plurality of wheels for rotating and advancing the cylindrical bodies, the first section being disposed to displace the cylindrical bodies in their longitudinal direction and connect the first cylindrical body of the plurality of cylindrical bodies with an end of the second cylindrical body of the plurality of cylindrical bodies which precedes the first cylindrical body, and a second section including a plurality of wheels for rotating and advancing the cylindrical bodies, the second section being connected to the first section and operating independent of the first section, and being disposed to positively rotate the cylindrical bodies about their longitudinal axis and displace the cylindrical bodies in the direction of their longitudinal axis during the applying of the material web, with a desired spacing between edges of the applied material web. The first section displaces the bodies ahead of the unit for applying the material web to connect the first cylindrical body to the end of the second cylindrical body and permits slipping of the bodies after the connection of the first cylindrical body to the end of the second cylindrical body.

Importantly, the first and second sections include first and second sides which include the plurality of wheels disposed on a side of the bodies, the wheels being obliquely inclinable in relation to the longitudinal axis of the bodies for rotation and driving thereof towards, past and away from the unit for applying the material web, and the apparatus further includes a plurality of trailing wheels which are provided above and along the bodies at the unit for applying the material web for urging the bodies against the plurality of wheels (Application at Figures 1 and 2; page 7, lines 10-29). This feature may allow the displacement of the cylindrical bodies during and after the application of the material web to be positive so that the bodies are moved away from the unit even when a displacement-counteracting force is exercised from the material web (Application at page 7, lines 15-18).

II. THE ALLEGED PRIOR ART REFERENCES

A. Shaw

The Examiner alleges that Shaw teaches the claimed invention of claims 1 and 20.

Serial No. 10/551,468
Docket No. 2582LN.eh

10

Applicant would submit, however, that Shaw does not teach or suggest each and every element of the claimed invention.

In particular, nowhere does Shaw teach or suggest "*wherein said first and second sections comprise first and second sides which comprise said plurality of wheels disposed on a side of the bodies, the wheels being obliquely inclinable in relation to the longitudinal axis of the bodies for rotation and driving thereof towards, past and away from the unit for applying the material web, and wherein the apparatus further comprises a plurality of trailing wheels which are provided above and along the bodies at the unit for applying the material web for urging the bodies against said plurality of wheels*", as recited in claim 1 and similarly recited in claim 20 (Application at Figures 1 and 2; page 7, lines 10-29). As noted above, this feature may allow the displacement of the cylindrical bodies during and after the application of the material web to be positive so that the bodies are moved away from the unit even when a displacement-counteracting force is exercised from the material web (Application at page 7, lines 15-18).

Clearly, Shaw does not teach or suggest these novel features.

Indeed, Shaw simply teaches a pipe wrapping device which includes wheels 12 and 14 (Shaw at col. 2, lines 36-37). That is, nowhere does Shaw teach or suggest first and second sections which include first and second sides which include the plurality of wheels disposed on a side of the bodies, the wheels being obliquely inclinable in relation to the longitudinal axis of the bodies for rotation and driving thereof towards, past and away from the unit for applying the material web, and the apparatus further includes a plurality of trailing wheels which are provided above and along the bodies at the unit for applying the material web for urging the bodies against the plurality of wheels.

Therefore, Applicant would submit that Shaw clearly does not teach or suggest each and every element of the claimed invention. Therefore, the Examiner is respectfully requested to withdraw this rejection.

B Smith, Magnusson, Roberts and Takahashi

The Examiner alleges that Shaw would have been combined with Smith to form the invention of claims 3, 5 and 19, with Smith and Magnusson to form the invention of claims 4, 6-8 and 22-24, with Roberts to form the invention of claim 9, with Smith and Takahashi to

Serial No. 10/551,468
Docket No. 2582LN.eh

11

form the invention of claim 10, and with Takahashi to form the invention of claim 11. Applicant submits, however, that these alleged references would not have been combined and even if combined, the combination would not teach or suggest each and every feature of the claimed invention.

In particular, Applicant submits that these alleged references are completely unrelated, and no person of ordinary skill in the art would have considered combining these disparate references, absent impermissible hindsight. Therefore, Applicant respectfully submits that these disparate references would not have been combined by one of ordinary skill in the art.

In particular, neither Shaw, nor Smith, nor Magnusson, nor Roberts, nor Takahashi, nor any alleged combination thereof teaches or suggests "*wherein said first and second sections comprise first and second sides which comprise said plurality of wheels disposed on a side of the bodies, the wheels being obliquely inclinable in relation to the longitudinal axis of the bodies for rotation and driving thereof towards, past and away from the unit for applying the material web, and wherein the apparatus further comprises a plurality of trailing wheels which are provided above and along the bodies at the unit for applying the material web for urging the bodies against said plurality of wheels*", as recited in claim 1 and similarly recited in claim 20 (Application at Figures 1 and 2; page 7, lines 10-29). As noted above, this feature may allow the displacement of the cylindrical bodies during and after the application of the material web to be positive so that the bodies are moved away from the unit even when a displacement-counteracting force is exercised from the material web (Application at page 7, lines 15-18).

Clearly, Smith does not teach or suggest these novel features.

Indeed, Smith simply discloses a pipe handling conveyor 28 which includes a base 30 including a pair of side rails 32 (Smith at col. 2, lines 60-64).

Likewise, Magnusson does not teach or suggest these features.

In fact, Magnusson simply discloses a device for imparting a rotational and longitudinal movement to tubes. The device includes a shaft 3, pulleys or rollers 6, and pulley belt 4 (Magnusson at col. 1, lines 33-56).

Likewise, Roberts does not teach or suggest these features.

Indeed, Roberts simply discloses sections of a mandrel which do not displace the cylindrical bodies in their longitudinal direction and do not rotate the tube. That is, even

Serial No. 10/551,468
Docket No. 2582LN.eh

12

assuming (arguendo) that the sections of the mandrel may allow for axial and rotational movement of the tube, an axial movement of the tubes is made by the mandrel 19 and axial and rotational movement is made by a separate planetary drive assembly 39 (Roberts at Figure 4).

Likewise, Takahashi does not teach or suggest these features. Indeed, Takahashi simply discloses a method of producing a protective coating steel pipe, and is completely unrelated to the claimed invention (Takahashi at Abstract)

Therefore, none of these references teach or suggest first and second sections which include first and second sides which include the plurality of wheels disposed on a side of the bodies, the wheels being obliquely inclinable in relation to the longitudinal axis of the bodies for rotation and driving thereof towards, past and away from the unit for applying the material web, and the apparatus further includes a plurality of trailing wheels which are provided above and along the bodies at the unit for applying the material web for urging the bodies against the plurality of wheels.

Therefore, Applicant would submit that these alleged references would not have been combined and even if combined, the combination would not teach or suggest each and every feature of the claimed invention. Therefore, the Examiner is respectfully requested to withdraw this rejection.

III. FORMAL MATTERS AND CONCLUSION

Applicant notes that Replacement Drawing Sheets for Figures 1-6 are submitted herewith to address the Examiner's objection to the drawings.

In view of the foregoing, Applicant submits that claims 1, 4-9, 11 and 19-20 and 22-28, all the claims presently pending in the application, are patentably distinct over the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

RECEIVED
CENTRAL FAX CENTER

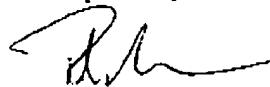
JAN 19 2010

Serial No. 10/551,468
Docket No. 2582LN.eh

13

The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Respectfully Submitted,



Date: January 19, 2009

Phillip E. Miller, Esq.
Registration No. 46,060

McGinn IP Law Group, PLLC
8321 Old Courthouse Road, Suite 200
Vienna, VA 22182-3817
(703) 761-4100
Customer No. 21254

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that the foregoing was filed by facsimile with the United States Patent and Trademark Office, Examiner Christopher T. Schatz, Group Art Unit # 1791 at fax number (571) 273-8300 this 19 day of January, 2010.



Phillip E. Miller
Reg. No. 46,060